

## GMC finds paediatrician guilty of abusing his position

Owen Dyer *London*

The General Medical Council ruled this week that the evidence against paediatrician David Southall was "not insufficient" to support a finding of serious professional misconduct, which in lay parlance amounts to a finding of guilt.

The council's professional conduct committee adjourned until August, when it will hear pleas in mitigation and decide whether or not to strike him off the medical register.

The case against Professor Southall of North Staffordshire Hospital centred on allegations that he accused a father of murdering his child solely on the basis of having seen the father interviewed in a television documentary.

Professor Dennis McDevitt, chairman of the GMC's profes-

sional conduct committee, said that Professor Southall had abused his position. The committee ruled that Professor Southall's actions were "inappropriate," "irresponsible," and "misleading."

Professor Southall became convinced of the guilt of Stephen Clark—the husband of Sally Clark, who was in prison for the murder of two of her children—after seeing an interview with Mr Clark on the Channel 4 documentary *Dispatches* in April 2000. In the programme, Mr Clark described a nosebleed his son Christopher had in a London hotel room in 1996.

The police believed that Sally Clark had partially smothered Christopher earlier that day, before leaving the hotel room. But Professor Southall told the GMC that in his experience nosebleeds invariably occur at the time of smothering, not later. He therefore concluded that Mr Clark must have smothered Christopher that day and was presumably responsible for the child's death 10 days later.

Sally Clark was still in prison when Professor Southall told police of his concerns about her

husband. After interviewing the paediatrician, detectives decided not to pursue the allegations.

In an exchange during the hearing, GMC counsel Richard Tyson asked Professor Southall if he still believed Mr Clark murdered the two boys. After a pause, the paediatrician answered "Yes."

He said that the police had never adequately proved that Mr Clark was really at a Christmas party when Christopher died at home in 1996. "I felt that notwithstanding the considerable time that had elapsed, the police should in my opinion have looked much harder into the issue of when Sally was supposed to have been alone in the first baby's death, by talking to the people who had been with Mr Clark at the party."

When Mr Tyson suggested that it was astonishing to intervene in the case on the basis of watching a television programme, Professor Southall said: "It's not astonishing to me. It's based on my years of research and investigation."

He said he had a duty to use his "fairly unique, if not unique" knowledge of such cases to pro-

tect the Clarks' surviving child. "My role was concern for the safety of the baby. I don't want you to go away thinking my main objective was to accuse Mr Clark of something."

"If I hadn't done what I did, I think that would have been a hidden abuse of my professional responsibility," he told the tribunal. He said he was not relying on hearsay from television journalists, but on Mr Clark's own words in the programme.

Professor McDevitt questioned research carried out by Professor Southall in 1997 into the relation between children having nosebleeds and suffocation attempts, which he suggested was based on a very small study "without an adequate control."

Nobody disputed that Professor Southall should have told the authorities of his concerns that Mr Clark could be the killer, he said, but "everything beyond that seems to be a quantum leap. You have had to concoct stories in your own mind to make Mr Clark pivotal to everything after without, as far as I can understand, any evidence to support these theories at all." □

## Renewing licence in person cuts deaths among elderly drivers

Janice Hopkins Tanne *New York*

Getting drivers to renew their licence in person can reduce deaths among people over 85 by nearly a fifth, shows research from the United States. Eye tests, road tests, and more frequent licence renewals fail to show a similar impact.

At present, 14% of drivers who die in the United States are people aged 65 and over, although the highest death rate is among teenage male drivers. According to the Insurance Institute for Highway Safety, the proportion of deaths among people over 65 will reach 25% by 2030.

"Driver fatalities have decreased overall, but they have increased for older drivers, especially for the older old—those over 85," said lead author Dr David Grabowski, assistant professor at the department of healthcare organization and policy at the University of Alabama, Birmingham. "We'll see more

and more older drivers with the aging of the baby boom generation. Licensing laws are one way to address the problem."

The study, published in *JAMA* (2004;291:2840-6), retrospectively analysed all fatal crashes in the 48 contiguous states (excluding Alaska, Hawaii, and Washington, DC) from 1990 to 2000. Altogether there were 74 428 deaths among drivers 65 and over during this period and 231 488 deaths among drivers aged 25-64.

In 2000, 45 states required drivers to renew their licence in person, 40 states required eye tests for older drivers, and two states required road tests. (Some states required a combination of tests.) The average renewal cycle was 4.35 years.

States that required in-person licence renewal had a 17% lower fatality rate than did states without in-person renewal

laws. There were 4275 fatalities among drivers 85 or older in the 45 states with in-person licence renewal laws and 330 in the three states without these laws. The adjusted incident rate ratio was 0.83 (95% confidence interval 0.71 to 0.96).

Dr Grabowski said that in-person renewal may mean that the examiner can see a person is unfit and send them for

medical evaluation. Older drivers may also be more reluctant to apply for a new licence when they know they must do it in person. It is already known that older drivers often restrict their own driving behaviour by not driving at night, in bad weather, on major highways, during rush hour, or after an incident in which they were at fault. □



Kermit Westberg, aged 90, stands next to his car in Ogemaw, Wisconsin. Drivers of his age are less likely to die in car crashes if they have to renew their licence in person